

REMARKS

I. Introduction

In response to the Office Action dated July 5, 2002, no claims have been cancelled, amended, or added. Claims 1-69 remain in the application. Re-examination and re-consideration of the application is requested.

II. Information Disclosure Statement

Included with the Office Action dated July 5, 2002, was a copy of the first page of Applicant's Information Disclosure Statement (IDS) submitted on April 29, 1999, with an annotation in the margin: "no 1449 or copy not considered." Moreover, a copy of the 1449 submitted with the IDS was not returned. However, there was no indication in the Office Action whether the IDS was considered.

Consequently, Applicant's attorney re-submits herewith a copy of Applicant's IDS previously submitted on April 29, 1999, including a copy of the postcard returned by the Office. Applicant's attorney notes that there are no interlineations on the postcard, thereby indicating that the Office received the IDS intact. Applicant's attorney therefore requests that the IDS be entered, asserts that no additional fees or petition are required for entry of the IDS, and asks that the 1449 be initialed by the Examiner and returned to Applicant's attorney.

III. Prior Art Rejections

In paragraphs (3)-(4) of the Office Action, claims 1-3, 5-7, 9-10, 15-16, 20, 22-26, 28-30, 32-33, 38-39, 47-49, 51-53, 55-56, 61-62, 66, 68-69 were rejected under 35 U.S.C. §103(a) as being unpatentable over XMetal 1.0, available at: <http://www.webreference.com/html/watch/xmetal>, (XMetal) in view of Alschuler, Liora, "SoftQuad previews XMetal Prototype," May 1998, The Seybold Report on Internet Publishing, Vol. 2, No. 9. (Alschuler). In paragraph (5) of the Office Action, claims 4, 8, 21, 27, 31, 44, 50, 54, and 67 were rejected under 35 U.S.C. §103(a) as being unpatentable over XMetal in view of Alschuler as applied to claims 1, 24, and 47, and further in view of Softquad HotMetalPro 3.0 User's Manual, 1996, pp. 77-83 (Softquad). In paragraph (6) of the Office Action, claims 11-14, 34-37, and 57-60 were rejected under 35 U.S.C. §103(a) as being unpatentable over XMetal in view of Alschuler as applied to claims 1, 24, and 47, and further in view of W3C Extensible Markup Language (XML) 1.0, 2/1998, available at <http://www.w3.org/TR/1998/REC-xml-19980210> (W3C). In paragraph (7) of the Office Action,

claims 17-19, 40-42, and 63-65 were rejected under 35 U.S.C. §103(a) as being unpatentable over XMetal in view of Alschuler, and further in view of Patent Application No. 09/191,281, Background of Invention, 11/12/98 ('281).

Applicant's attorney respectfully traverses these rejections. Specifically, Applicant's attorney asserts that XMetal is not a prior art reference against the claims of the present application. Applicant's attorney notes that the printed copy of XMetal provided with the Office Action includes the date "6/27/02" at the bottom of the page, which apparently indicates the date that the article was printed by the Office. However, the XMetal article includes a copyright date of 2002, as noted on the second printed page of the reference. Further, the XMetal article includes a "Created" date of "October 20, 1999" and "Revised" date of "October 28, 1999", as noted on the fifth printed page of the reference. Finally, Applicants' attorney reviewed the actual pages at the URL provided by the Office Action for the XMetal reference, confirmed the Copyright, Created and Revised dates on the actual pages, and determined there were no other dates in the reference. Since this application has a priority date of November 12, 1998, the XMetal reference is not prior art. Consequently, Applicant's attorney requests withdrawal of the rejections.

IV. Conclusion

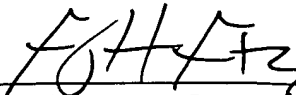
In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned attorney.

Respectfully submitted,

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